IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.1036 OF 2004

IN

SUIT NO.306 OF 1967

...

Urban Improvement Co.Pvt.Ltd. ...Plaintiffs

v/s.

Union of India ...Defendant

...

None for the Plaintiffs.

Mr.S.R.Rajguru for the Defendant.

...

CORAM: D.K.DESHMUKH, J.

DATED: 18TH FEBRUARY,2005

P.C.:

1. This Notice of Motion is taken out by the Defendant for setting aside the order dismissing the counter-claim submitted by the Defendant for default.

2. The learned Counsel for the Defendant states that the Plaintiff has been served. He has filed affidavit of service. None appears for the Plaintiff. There is no affidavit in reply filed. In the absence of any reply, accepting the averments made in the affidavit filed in support of the Notice of Motion at their face value, this Notice of Motion is granted in terms of prayer clause (a). Notice of Motion disposed of.

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